IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.556 OF 2006
IN
CRI.BAIL APPLICATION NO.1712 OF 2006
WITH
CRIMINAL APPLICATION NO.582 OF 2006
IN
CRI.BAIL APPLICATION NO.1712 OF 2006
AND
CRIMINAL APPLICATION NO.583 OF 2006
IN
CRI.BAIL APPLICATION NO.1792 OF 2006
WITH
CRIMINAL APPLICATION NO.570 OF 2006
IN
CRI.BAIL APPLICATION NO.1737 OF 2006
WITH
CRIMINAL APPLICATION NO.569 OF 2006
IN
CRI.BAIL APPLICATION NO.1804 OF 2006

The State of Maharashtra. ..Applicant.

V.s.

Sajjad Mohd.Hussain Gandlawala ..Respondent.

Mr.Borulkar, Public Prosecutor with Ms.S.V.Gajare, APP for applicant-State.

CORAM: A.M.KHANWILKAR,J
DATE : NOVEMBER 29, 2006.

P.C.:

1. The respondent herein was ordered to be released on bail during the pendency of the trial. However, he has not reported to the police station or before the Court, as was required to be done. In the circumstances, State has moved these applications for cancellation of bail granted in favour of respondent herein-Sajjad Mohd.Hussain Gandlawala. Besides, the

State has also initiated action against the respondent for declaring him as proclaimed offender. As order has been passed by the trial Court on 14th November, 2006 declaring the Respondent as proclaimed offender, fugitive cannot be allowed to pursue his claim, much less to be continued on bail, which indulgence was shown on the expectation that the accused will submit to the jurisdiction of the Court and abide by the direction given by the Court. The Respondent is not present before this Court inspite of notice of the present proceedings. In the circumstances, it is in the interest of the justice to allow these applications and cancel the bail granted in favour of the respondent on the earlier occasion. It is only then the trial against other accused, who are in jail can proceed smoothly.

2. Accordingly, these applications are allowed. Police to act on this order and take appropriate steps in accordance with the law against the respondent.